

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**BESSEMER SYSTEM FEDERAL CREDIT)
UNION,)**

Plaintiff,)

vs.)

**FISERV SOLUTIONS, LLC, f/k/a FISERV)
SOLUTIONS, INC., and FISERV, INC.,)**

Defendants.)

Case No. 2:19-cv-00624-RJC

**JOINT MOTION FOR TEMPORARY STAY OF LITIGATION
AND EXTENSION OF DEADLINES**

Plaintiff Bessemer System Federal Credit Union (“Plaintiff”) and Defendants Fiserv Solutions, LLC, f/k/a Fiserv Solutions, Inc., and Fiserv, Inc. (together, “Defendants”) hereby jointly move for an Order staying this litigation until January 29, 2021, and extending certain deadlines while the parties resume mediation and settlement negotiations. In support of this Motion, the parties state as follows:

1. On October 27, 2020, the parties participated in mediation conducted by neutral Mark D. Shepard. The case was not resolved. (ECF No. 91.)
2. On November 9, 2020, Defendants served their First Set of Discovery Requests upon Plaintiff. By agreement of the parties, Plaintiff’s deadline to respond to those requests is December 23, 2020.
3. On November 10, 2020, Defendants served upon Plaintiff the notice of subpoena to non-party CompuSource Systems, Inc. for production of documents (the “CompuSource Subpoena”). Defendants served CompuSource with the CompuSource Subpoena on November 12, 2020.

4. On November 10, 2020, Bessemer filed its Motion to Dismiss Counterclaims. (ECF No. 92.)

5. On December 8, 2020, Defendants filed their response to Bessemer's Motion to Dismiss Counterclaims. (ECF No. 99.)

6. Pursuant to the Order Granting Joint Motion to Modify Schedule Regarding Motion to Dismiss Counterclaims, the deadline for Plaintiff to file its reply brief in support of the Motion to Dismiss Counterclaims is December 30, 2020. (ECF No. 97.)

7. The parties have agreed to resume mediation and settlement negotiations through neutral Mark D. Shepard.

8. Accordingly, after conferring in good faith regarding the efficient management of this dispute, and for reasons of judicial efficiency and other good cause, the parties hereby respectfully request that the Court enter an Order temporarily staying this litigation until January 29, 2021, and setting the following case deadlines:

a. Plaintiff shall serve its responses and objections to Defendants' First Set of Discovery Requests on or before February 12, 2021;

b. Plaintiff shall file its reply in support of the Motion to Dismiss Counterclaims on or before February 12, 2021.

9. The parties have agreed that the temporary stay of litigation shall not apply to the CompuSource Subpoena.

10. The parties propose to file, on or before February 8, 2021, a Joint Status Report advising the Court if the case has been resolved, if the parties request that the stay be further extended to accommodate continued negotiations, or if the parties' efforts have been unsuccessful and the case should resume. If the parties report that the case should resume, they

will meet and confer in good faith and submit a proposed Amended Case Management Order with the Joint Status Report.

WHEREFORE, the Parties respectfully request that the Court enter the proposed Order submitted with this Motion.

Dated: December 22, 2020

Respectfully submitted,

/s/ Charles J. Nerko

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